

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION AT DAYTON

MICHAEL BIES,

:  
Petitioner, : Case No. 1:00-cv-682  
-vs- : District Judge Susan J. Dlott  
Respondent. : Chief Magistrate Judge Michael R. Merz

MARGARET BAGLEY, Warden,

:  
Respondent.

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**SCEDULING ORDER**

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Pursuant to the Parties' Agreed Status Report (Doc. No. 123), it is hereby ordered that Respondent file an answer and return of writ to the Third Amended Petition not later than November 1, 2008. Not later than November 14, 2008, the parties shall file a new proposed schedule containing information of the sort required by Fed. R. Civ. P. 26(f), adapted for habeas corpus practice. The scheduling conference set for September 17, 2008, is re-set to 2:00 p.m. on Wednesday, November 19, 2008, by telephone.

September 15, 2008.

s/ **Michael R. Merz**  
Chief United States Magistrate Judge